

**S/N 10/698,026**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants:	Jeffrey A. Hall et al.	Examiner:	Alex Toy
Serial No.:	10/698,026	Group Art Unit:	3739
Filed:	October 30, 2003	Docket:	279.401US1
Customer No.	45458	Confirmation No.:	7128
Title:	ENERGY DELIVERY OPTIMIZATION FOR RF DUTY CYCLE FOR LESION CREATION		

---

**NOTICE OF APPEAL FROM THE DECISION OF THE EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with 37 C.F.R. § 41.31(a)(1), Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated February 9, 2009 of the Examiner rejecting claims 16-22 of the above-identified patent application.

A request for an extension of time to respond to the Examiner's rejection is submitted herewith along with payment of the required extension fee.

Please charge the amount of \$540.00 in payment of the Notice of Appeal fee under 37 C.F.R. § 41.20(b)(1), as well as any additional required fees, to Deposit Account No. 19-0743.

Respectfully submitted,

SCHWEGMAN, LUNDBERG & WOESSNER, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 359-3267

Date August 10, 2009

By



Peter C. Maki  
Reg. No. 42,832

**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 10th day of August, 2009.

Kate Gannon

/ Kate Gannon /

\_\_\_\_\_  
Name

\_\_\_\_\_  
Signature